



TO AF

**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 2800**

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 17, 2006
Date

Phoebe E. Pogson
Phoebe E. Pogson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|--------------------------------|
| Appl. No. : 10/075,640 | Confirmation No. : 9841 |
| Applicant : Michael Nuttall and Garry Anthony Mercaldi | |
| Filed : February 13, 2002 | Attorney Docket No.: 500803.02 |
| Art Unit : 2818 | Customer No. : 27,076 |
| Examiner : David Vu | |
| Title : METHOD FOR ENHANCING VERTICAL GROWTH DURING THE SELECTIVE FORMATION OF SILICON, AND STRUCTURES FORMED USING SAME | |

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. § 1.116

Sir:

Applicants acknowledge receipt of the Office Action dated May 16, 2006.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

Effective on 12/08/04



FEE TRANSMITTAL SHEET (FY 2006)

☐ Applicant claims small entity status (see 37 C.F.R. 1.27)

Complete if Known

| | |
|---------------------|------------------------|
| Application No. | 10/075,640 |
| Filing Date | February 13, 2002 |
| First Inventor | Michael Nuttall |
| Group Art Unit | 2818 |
| Examiner Name | David Vu |
| Atty. Docket Number | 500803.02 (29924/US/1) |

METHOD OF PAYMENT (Check One)

☒ The Director is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No. **50-1266**; Deposit Account Name: **DORSEY & WHITNEY LLP**.

☐ Check Enclosed.

Extra Claim Fees

| Current Claims | Prior | Extra | Fee | Fee Paid |
|--------------------------------|-------|-------|----------|-------------|
| Total 9 | - 22 | = 0 | x \$ 50 | = \$ 0 |
| Ind. 1 | - 3 | = 0 | x \$ 200 | = \$ 0 |
| Multiple Dependent Claims | | | x \$ | = \$ |
| Subtotal (Extra Claims) | | | | \$ 0 |

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) **Fee \$400**

§ 1.53(e) to accord a filing date.
 § 1.57(a) to accord a filing date.
 § 1.182 for decision on a question not provided for.
 § 1.183 to suspend the rules.
 § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
 § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) **Fee \$200**

§ 1.12 for access to an assignment record.
 § 1.14 for access to an application.
 § 1.47 for filing by other than all inventors or person not the inventor.
 § 1.59 for expungement of information.
 § 1.103(a) to suspend action in an application.
 § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
 § 1.295 for review of refusal to publish a statutory invention registration.
 § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
 § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
 § 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
 § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
 § 5.12 for expedited handling of foreign filing license.
 § 5.15 for changing the scope of a license.
 § 1.525 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) **Fee \$130**

§ 1.19(g) to request documents in a form other than provided in this part.
 § 1.84 for accepting color drawings or photographs.
 § 1.91 for entry of a model or exhibit.
 § 1.102(d) to make an application special.
 § 1.138(c) to expressly abandon an application to avoid publication.
 § 1.313 to withdraw an application from issue.
 § 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

| Large Entity Fee | Small Entity Fee | Fee Description | Fee paid |
|---------------------|------------------|--|----------|
| 50 | 25 | Surcharge - late provisional filing fee or cover sheet | \$ |
| 130 | 65 | Surcharge - Late nonprovisional filing fee or oath | \$ |
| 180 | 180 | Submission of IDS | \$ |
| 40 | 40 | Recording each patent assignment per property (times number of properties) | \$ |
| 120 | 60 | Extension for reply within first month | \$ |
| 450 | 225 | Extension for reply within second month | \$ |
| 1,020 | 510 | Extension for reply within third month | \$ |
| 1,590 | 795 | Extension for reply within fourth month | \$ |
| 2,160 | 1,080 | Extension for reply within fifth month | \$ |
| 790 | 395 | Submission After Final 1.129 | \$ |
| 500 | 250 | Notice of Appeal | \$ |
| 500 | 250 | Filing a brief in support of an appeal | \$ |
| 1,000 | 500 | Request for oral hearing | \$ |
| 130 | 65 | Terminal Disclaimer Fee | \$ |
| 800 | 400 | Design Issue Fee | \$ |
| 790 | 395 | Request for Continued Examination (RCE) | \$ |
| 130 | | Request for voluntary publication or republication | \$ |
| 500 | 250 | Petition to Revive - unavoidable | \$ |
| 1,500 | 750 | Petition to Revive - unintentional | \$ |
| 200 | | Filing for patent term adjustment | \$ |
| 400 | | Request for reinstatement of term reduced | \$ |
| 1,120 | | Extension of term of patent | \$ |
| OTHER FEE (specify) | | | \$ |

Subtotal (Additional Fees)

\$0

Total Amount of Payment:

\$0

Submitted by:

CUSTOMER NUMBER
27,076

DORSEY & WHITNEY LLP

1420 Fifth Avenue, Suite 3400
Seattle, WA 98101-4010
(206) 903-8800 phone / (206) 903-8820 fax

Name: Marcus Simon

Reg. No.: 50,258

Signature:

Date: July 17, 2006